IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 15479 of 2004

Between:

P. Mahaboob Saheb, S/o Dastagiri,
R/o Khaderpalli (V), Chapadu (M), Cuddapah District.

..... PETITIONER

AND

1 The State of A.P. rep. by its District Collector,
Cuddapah District, Cuddapah.
2 The Revenue Divisional Officer, Jammalamadugu, Cuddapah

District.
3 The Mandal Revenue Officer, Chapadu Mandal, Cuddapah

District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents No.2 in passing final order of Termination of Fair Price Shop dealership of the petitioner by their order in Ref.No.B/574/2002, dt. 1-8-2002 as illegal, arbitrary and against the principles of natural justice and consequently direct the respondents to re-instate the petitioner as Fair Price Shop dealer.

Counsel for the Petitioner: MR.NAGARAJU NAGURU

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following Order:

Against the impugned order dated 01-08-2002, an alternative remedy is available under the statute by way of appeal to the Joint Collector. The petitioner, without exhausting the said remedy, cannot maintain this writ petition.

Accordingly, the writ petition is disposed of granting leave and liberty to the petitioner to work out the remedy available under the statute. No costs.

_____

14-09-2004

kdl

To

1 The District Collector,
Cuddapah District, Cuddapah.
2 The Revenue Divisional Officer, Jammalamadugu, Cuddapah

District.
3 The Mandal Revenue Officer, Chapadu Mandal, Cuddapah

District.

4 Two C.Cs. to the Government Pleader for Civil Supplies, High

Court Buildings, A.P., Hyderabad, (OUT).

5 Two C.D. Copies.